

§ 35.910

40 CFR Ch. I (7-1-04 Edition)

(step 3) of a waste water treatment works.

(b) *Limitations.* The Regional Administrator may award step 2=3 grant assistance only if he determines that:

(1) The population is 25,000 or less for the applicant municipality (according to most recent U.S. Census information or disaggregations thereof);

(2) The treatment works has an estimated total step 3 construction cost of \$2 million or less, as determined by the Regional Administrator. For any State that the Assistant Administrator for Water and Waste Management finds to have unusually high costs of construction, the Regional Administrator may make step 2=3 awards where the estimated total step 3 construction costs of such treatment works does not exceed \$3 million. The project must consist of all associated step 2 and step 3 work; segmenting is not permitted; and

(3) The fundable range of the approved project priority list includes the step 2 and step 3 work.

(c) *Application requirements.* Step 2+3 projects are subject to all requirements of this subpart that apply to separate step 2 and step 3 projects except compliance with § 35.920-3(c) is not required before grant award. An applicant should only submit a single application.

(d) *Cross references.* See §§ 35.920-3(d) (contents of application), 35.930-1(a)(4) (types of projects) and 35.935-4 (grant conditions).

§ 35.910 Allocation of funds.

§ 35.910-1 Allotments.

Allotments are made on a formula or other basis which Congress specifies for each fiscal year. Except where Congress indicates the exact amount of funds which each State should receive, computation of a State's ratio will be carried out to the nearest ten-thousandth percent (0.0001 percent). Unless regulations for allotments for a specific fiscal year otherwise specify, allotted amounts will be rounded to the nearest thousand dollars.

§ 35.910-2 Period of availability; reallocation.

(a) All sums allotted under § 35.910-5 shall remain available for obligation

within that State until September 30, 1978. Such funds which remain unobligated on October 1, 1978, will be immediately reallocated in the same manner as sums under paragraph (b) of this section.

(b) All other sums allotted to a State under section 207 of the Act shall remain available for obligation until the end of 1 year after the close of the fiscal year for which the sums were authorized. Sums not obligated at the end of that period shall be immediately reallocated on the basis of the same ratio as applicable to sums allotted for the then-current fiscal year, but none of the funds reallocated shall be made available to any State which failed to obligate any of the funds being reallocated. Any sum made available to a State by reallocation under this section shall be in addition to any funds otherwise allotted to such State for grants under this subpart during any fiscal year.

(c) Sums which are deobligated after the reallocation date for those funds shall be treated in the same manner as the most recent allotment before the deobligation.

§§ 35.910-3—35.910-4 [Reserved]

§ 35.910-5 Additional allotments of previously withheld sums.

(a) A total sum of \$9 billion is allotted from sums authorized, but initially unallotted, for fiscal years 1973, 1974, and 1975. This additional allotment shall be available for obligation through September 30, 1977, before reallocation of unobligated sums under § 35.910-2.

(b) Two-thirds of the sum hereby allotted (\$6 billion) represents the initially unallotted portion of the amounts authorized for fiscal years 1973 and 1974. Therefore, the portion of the additional allotments derived from this sum were computed by applying the percentages formerly set forth in § 35.910-3(b) to the total sums authorized for fiscal years 1973 and 1974 (\$11 billion) and subtracting the previously allotted sums, formerly set forth in § 35.910-3(c).

(c) One-third of the sum hereby allotted (\$3 billion) represents the initially unallotted portion of the amounts authorized for fiscal year 1975. Therefore,